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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-v-

WILLIAM BRYANT,

Defendant.

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GREGORY H. WOODS, United States District Judge:

1: 16-cr-396-GHW

ORDER

On April 23, 2020, the Court received a letter from Mr. William Bryant. In his letter, Mr. Bryant asks for the Court's assistance to get a prompt home detention date. The Court does not have independent information regarding the facts described in Mr. Bryant's letter, but according to the letter, Mr. Bryant was eligible for home detention as of April 4, 2020.

The Court understands that the Bureau of Prisons (the "BOP") is undertaking a comprehensive review of prisoners who are eligible for home release in response to the COVID-19 pandemic. *See* Memorandum from Attorney General William P. Barr to the BOP, dated March 26, 2020; and Memorandum from Attorney General William P. Barr to the BOP, dated April 3, 2020.

The Court respectfully requests that the BOP consider Mr. Bryant's case in an expedited manner. While, as noted above, the Court does not have independent confirmation of Mr. Bryant's account, the accomplishments that he describes in his letter are significant: he states that he has completed a 500 hour residential drug treatment program and that he has maintained good conduct throughout his time in prison. And, according to Mr. Bryant, he is concerned that his medical condition may put him at greater risk of harm as a result of COVID-19. Given these factors, if, as he asserts, Mr. Bryant is already eligible for home detention, the Court strongly encourages the BOP to act on his case as expeditiously as possible.

The Court does not construe this letter as an application for compassionate release under 18 U.S.C. § 3582(c)(1)(A). If it were, the Court would be unable to act upon it on this record because there is no indication that Mr. Bryant has satisfied the statutory preconditions to such an application—those require that an inmate make a request to the warden of his facility to bring a compassionate release motion before requesting relief from the Court. *Id.* (“The court may not modify a term of imprisonment once it has been imposed except that . . . the court, upon motion of the Director of the Bureau of Prisons, or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier, may reduce the term of imprisonment . . .”).

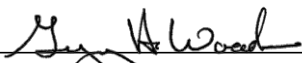
Nonetheless, the Court again strongly encourages the BOP to consider Mr. Bryant’s case, in light of Mr. Bryant’s asserted eligibility for home detention, and the Attorney General’s guidance. The Court requests that the BOP provide the Court a status update with respect to Mr. Bryant’s case no later than May 15, 2020.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a copy of this order to Mr. Bryant.

SO ORDERED.

Dated: April 25, 2020



GREGORY H. WOODS
United States District Judge